

**Notice of Allowability**

Application No.

10/802,736

Examiner

Shelley Self

Applicant(s)

NAKAMURA ET AL.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/29/05.
2. ☒ The allowed claim(s) is/are 2,3 and 7-11.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 10/185,015.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 2/23/05;11/12/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other

  
DERRIS H. BANKS

SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700

## **DETAILED ACTION**

### ***Response to Amendment***

The amendment filed on July 20, 2005 is sufficient to overcome the prior art reference.

## **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

- Pg. 1, lines 4-5 following the term, filed July 1, 2002 deleted "*allowed*", replace with --  
**now U.S. Patent No. 6,745,679.—**

### ***Allowable Subject Matter***

Claims 2, 3 and 7-11 are allowed.

The following is an Examiner's statement of reasons for allowance: The prior art of record does not disclose or fairly suggest a grinding sludge compacting machine comprising the following:

*-wherein the end of the second piston defines a gap in cooperation with an adjacent end of the cylindrical mold, said gap defining a coolant drain passage in combination with the rest of the claimed limitations as set forth in claim 2.*

*-wherein during operation, the end of the second piston is spaced from an adjacent end of the cylindrical mold to define a coolant drain passage in combination with the rest of the claimed limitations as set forth in claim 7.*

*-wherein during a compressing operation, the end of the second piston is spaced from a mutually confronting end of the cylindrical mold to define a coolant drain passage in combination with the rest of the claimed limitations as set forth in claim 10.*

The prior art reference McEwen et al. discloses a grinding sludge compacting machine for removing liquid from sludge/swarf and solid particles to compress the solids into a briquette. The compacting machine comprising a mold chamber (20) having a partially open top (fig. 1) in cooperation with a hopper (30) for accepting material to be compressed. McEwen discloses the chamber to have a filter screen (22) on a bottom wall of the chamber so as to filter liquid from the solid particles. The liquid disposed to a liquid collecting chamber (70). McEwen discloses two piston-cylinder arrangements (40, 50) oppositely disposed at ends of the chamber (20). During operation, McEwen discloses the piston (50) having a gasket (54) such that the piston head and gasket are partially inserted into the chamber (20) to seal an end of the chamber (fig. 1), piston (40) also has a gasket (44) and is inserted into the opposite end of the chamber (20) so as to compress the material within the chamber between the two opposing pistons (fig. 1). During compressing, i.e. reciprocation of piston (40) the briquette is formed and liquid is dispersed through the filter screen (22) to the liquid collecting chamber (70). McEwen does not disclose *the second piston (50) to be larger than the end of the cylindrical chamber or the second piston to define a gap in cooperation with an adjacent end of the mold wherein the second piston is held in position adjacent the mold, said gap defining a coolant drain passage or the end of the second*

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*piston is spaced from an adjacent end of the cylindrical mold to define a coolant drain passage.*

Instead McEwen discloses that the coolant drain passage is the filter screen (22) at the bottom wall of the chamber and the second piston to be inserted into the chamber and not spaced from an adjacent end of the mold chamber. Accordingly, McEwen fails to anticipate or render obvious the claimed invention as set forth in claims 2, 7 and 10.

Neither the prior art of record nor any combination thereof discloses the claimed invention as set forth in claim 2, 7 and 10. Therefore, claims 2, 7, 10 and their dependents contain allowable subject matter over the prior art of record and are deemed allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shelley Self whose telephone number is (571) 272-4524. The examiner can normally be reached Mon-Fri from 8:30am to 5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, Derris Banks can be reached at (571) 272-4419. The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular and After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

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may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on accessing the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SSelf  
October 5, 2005



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